

DEPARTMENT OF STATE REVENUE**LETTER OF FINDINGS NUMBER: 02-0244P**

Adjusted Gross Income Tax

For Calendar Year 1999

NOTICE: Under IC 4-22-7-7, this document is required to be published in the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the general public with information about the Department's official position concerning a specific issue.

ISSUE(S)**I. Tax Administration – Penalty****Authority:** IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

Taxpayer protests the penalty assessed.

STATEMENT OF FACTS

Taxpayer failed to timely file its Indiana income tax return for the tax year ending December 31, 1999. The department issued a penalty billing.

I. Tax Administration – Penalty**DISCUSSION**

Taxpayer's letter states that the company did not make money, did not owe income tax, and is now out of business.

Based upon the above information, taxpayer requests that the penalty be waived.

Taxpayer failed to timely file its IT20-S return for calendar year 1999.

IC 6-8.1-10-2.1(g) states:

A person who fails to file a return for a listed tax that shows no tax liability for a taxable year, other than an information return (as defined in section 6 of this chapter), on or before the due date of the return shall pay a penalty of ten dollars (\$10) for each day that the return is past due, up to a maximum of two hundred fifty dollars (\$250).

Taxpayer failed to file its return timely. The department finds that a penalty is proper.

FINDING

Taxpayer's protest is denied.